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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Heisig et al.
Serial No.: 09/748,831
For: A PROTOCOL ADAPTER FRAMEWORK FOR INTEGRATING
NON-IIOP APPLICATIONS INTO AN OBJECT SERVER
CONTAINER
Filed: December 27, 2000
Examiner: Van H. Nguyen
Art Unit: 2126
Confirmation No.: 6296
Customer No.: 27623 Attorney Docket No.: YOR920000705US1

RESPONSE TO FINAL OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This response is in reply to the final Office Action dated May 20, 2004, for which the time for reply has been extended by one month to September 20, 2004 by an accompanying petition.

Claims 1-5 are pending in the application. Reconsideration of this application is respectfully requested.

The Office Action rejects claims 1 and 4 under 35 U.S.C 103(a) as unpatentable over U.S. Patent No. 6,721,779 to Maffeis, hereafter Maffeis.

Maffeis' message proxy 1 provides for message delivery between clients 2 that use different wireless protocols. That is, message proxy 1 translates from a WAP protocol used by one client 2" to a GPRS protocol used by another client 2 and vice versa. See column 4, lines 22-27. Maffeis' message proxy 1 sits in the middle of wireless message traffic and translates from one given protocol to any other given protocol that have translation code embedded in message proxy 1.

In contrast, the claimed invention avoids the need to translate messages, thereby avoiding the need for large amounts of code needed both at the server and the client's workstation. The claimed invention provides a protocol adapter framework so that new protocols can be easily added directly into the existing server, rather than trying to translate from one protocol to another. In the claimed invention the received requests drive work within the server. Claim 1 captures this by reciting a protocol adapter that is "responsive to client requests in said arbitrary protocol to derive therefrom method requests on an object residing within an object server".

Thus, the present invention provides a framework of services that a piece of code can use to receive a message in an incoming protocol and then perform native operations in the object server. The code can be part of the object server and not on a box on a wire or wireless channel. There is no need for a "translator" between an incoming protocol and a protocol the object server already understands. The object server itself responds to requests in the arbitrary incoming protocol to derive therefrom method requests on the object code residing in an object server as claimed in claim 1.

The Examiner admits that Maffeis does not teach a protocol adapter that is "responsive to client requests in said arbitrary protocol to derive therefrom

method requests on an object residing within an object server". The Examiner notes the passage at column 3, lines 10-12, which states:

"Pluggable protocol adapters allow the message proxy to send and receive messages to and from message clients using arbitrary wireless protocols. A protocol adapter embodies an existing transport protocol, such as GPRS or TCP/IP, and also provides additional features on top of the existing transport protocol. Examples of such additional features include data encryption and guaranteed delivery of messages."

The Examiner then contends, based on the above noted passage, that it would have been obvious to derive from client requests in an arbitrary protocol method requests on an object residing in an object server in order to provide the additional features noted in the passage.

This contention is traversed. Maffeis does not disclose or teach to invoke the additional features in response to requests received in an arbitrary protocol. Maffeis merely teaches that the additional features, such as data encryption and guaranteed delivery, are performed for the message traffic. Maffeis does not provide any suggestion or other evidence that proxy server 1 responds to requests from a client to invoke the additional features.

The Examiner's suggestion that it would be obvious to one of ordinary skill in the art, based on the above noted passage, provide the claimed protocol adapter is improperly based on the hindsight of Applicants' disclosure. Such hindsight reconstruction of the art cannot be the basis of a rejection under 35 U.S.C. 103. The prior art itself must suggest that modification or provide the reason or motivation for making such modification. In re Laskowski, 871 F.2d 115, 117, 10 USPQ 2d 1397, 1398-1399 (CAFC, 1989). "The invention must be viewed not after the blueprint has been drawn by the inventor, but as it would have been perceived in the state of the art that existed at the time the invention

was made." Sensonics Inc. v. Aerosonic Corp. 38 USPQ 2d 1551, 1554 (CAFC, 1996), citing Interconnect Planning Corp. v. Feil, 774 F. 2d 1132, 1138, 227 USPQ 543, 547 (CAFC, 1985).

For the reasons set forth above, it is submitted that the rejection of claims 1 and 4 under 35 U.S.C. 103(a) is erroneous and should be withdrawn.

The Office Action rejects claims 2, 3 and 5 under 35 U.S.C 103(a) as unpatentable over Maffeis in view of U.S Patent No. 6,014,694 to Aharoni et al., hereafter Aharoni.

This rejection is inapplicable to claims 2, 3 and 5 for the reason that Maffeis lacks an element recited in parent claim 1, as pointed out in the discussion of claim 1 above. Namely, Maffeis lacks a protocol adapter that is "responsive to client requests in said arbitrary protocol to derive therefrom method requests on an object residing within an object server". Aharoni, which was cited as teaching a video server and video client, does not teach the element that Maffeis lacks. Accordingly, the conclusion of obviousness does not apply to claims 2, 3 and 5.

The Office Action cites a number of patents that were not applied in the rejections of the claims. These patents have been reviewed, but are believed to be inapplicable to the claims.

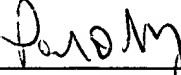
It is respectfully requested for the reasons set forth above that the rejections under 35 U.S.C. 103(a) be withdrawn, that claims 1-5 be allowed and that this application be passed to issue.

For the reasons set forth above, it is submitted that this amendment places the application in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and passed to issue. If this

amendment is deemed to not place the application in condition for allowance, it is respectfully requested that it be entered for the purpose of appeal.

Respectfully Submitted,

Date: 9-16-04



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COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

AMENDMENT TRANSMITTAL

We are enclosing a Response to Final Office Action in response to the communication dated May 20, 2004 in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be **\$110.00** to extend the time for filing this response until **September 20, 2004**.

The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	5	Minus	20	0	x \$18.00	\$
Independent Claims	1	Minus	3	0	x \$86.00	\$
MULTIPLE DEPENDENT CLAIM FEE				x \$290.00 = \$		
TOTAL FEE FOR CLAIM CHANGES				\$0.00		
1/2 FILING FEE FOR SMALL ENTITY				\$N/A		

The total fee for this amendment, including claim changes and any extension of time is calculated to be \$ 110.00

 A check in the amount of \$ 0.00 is attached.

X The Commissioner is hereby authorized to charge the fee of **\$110** and any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 50-0510**. A duplicate copy of this Form is enclosed.

September 16, 2004

Date



Paul D. Greeley, Esq.

Attorney for Applicant(s)

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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AF, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON September 16, 2004.

Joanne A. Romaniello

NAME



SIGNATURE

9/16/04

DATE